



Receipt

Bayer 10,139.3-KGB  
Le A 31 651-US-03 LH/AA

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANTS** : Thomas Krahn, Wolfgang Pfaffhausen, et al. **RECEIVED**

**SERIAL NO.** : 09/966,522 **JAN 16 2002**

**FILED** : 09/28/2001 **TECH CENTER 1600/2900**

**FOR** : Masking background fluorescence and luminescence in  
the optical analysis of biomedical assays

**GROUP ART UNIT** : 1641

**EXAMINER** :

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

October 26, 2001

**REQUEST FOR CORRECTED FILING RECEIPT**

SIR:

The filing receipt in the above-identified application was found to contain the following errors: The 1st inventor's first name should read: THOMAS KRAHN. Domestic priority data as claimed by applicant should read:  
this appln is a con of 09/194,099 11/20/1998  
which is a 371 of PCT/EP97/02662 05/23/1997

The title should read: Masking background fluorescence and luminescence  
in the optical analysis of biomedical assays

Please issue a corrected filing receipt at your earliest convenience.

Respectfully submitted,

NORRIS McLAUGHLIN & MARCUS

By

Kurt G. Brisco  
R g. No. 33,141

KGB/hg



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/966,522	09/28/2001	1641	1416	Bayer 10,139.3-KGB	10	37	8



C. Briscoe  
 Norris McLaughlin & Marcus, P.A.  
 30th Floor  
 220 East 42nd Street  
 New York, NY 10017 ✓

CONFIRMATION NO. 5606

## FILING RECEIPT

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UC000000006922512\*

JAN 16 2002

TECH CENTER 1600/2900

Date Mailed: 10/17/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Thomas  
 Thomas Krahn, Hagen, GERMANY; ✓  
 Wolfgang Paffhausen, Leverkusen, GERMANY; ✓  
 Andreas Schade, Essen, GERMANY; ✓  
 Martin Bechem, Wuppertal, GERMANY; ✓  
 Delf Schmidt, Wuppertal, GERMANY; ✓

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/194,099 11/20/1998  
 which is a 371 of PCT/EP97/02662 05/23/1997

## Foreign Applications

GERMANY 196 21 312.6 05/28/1996 ✓

If Required, Foreign Filing License Granted 10/16/2001

Projected Publication Date: 01/24/2002

Non-Publication Request: No

Early Publication Request: No

**Title**

Masking of the background fluorescence and luminescence in the optical analysis of biomedical assays

**Preliminary Class**

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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WASHINGTON, DC 20231  
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09966522	09/28/01	KRAHN et al.	Bayer 10, 139.3-KGB

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220 East 42nd Street, 30th Floor  
New York, NY 10017

JAN 16 2002

TECH CENTER 1600/2900

Date Mailed: 01/15/02

**RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT**

**Publication and General Rules Issues**

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- The articles such as "a", "an", and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new", "improved", "improvement of", "improvement in", or "improvement relating to" are not included as the first words in the title of an application because a patent application is, by nature, a new idea or improvement. See MPEP 606.
- The title appears on the filing receipt in sentence case for publication in the Annual Index of Patents.
- Amendments are not accepted in provisional applications. See 37 CFR 1.53(c).
- An amendment or Application Data Sheet is needed to make this change.
- The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. See MPEP 605.02.
- Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an amendment or Application Data Sheet.

Small entity status was previously claimed in this application. To notify the Office of a loss of entitlement to small entity status, see 37 CFR 1.27(g). To have a good faith error in claiming small entity status excused, see 37 CFR 1.28(c).

The request for non-publication was not timely filed. A request for non-publication must be submitted upon filing of an application. The application is scheduled to be published on the date specified on the filing receipt.

The request for non-publication has not been recognized because it is not conspicuous as required by 37 CFR 1.213.

There was no prior request for non-publication in this application. The request to rescind the non-publication request will not be processed.

Your request for non-publication will not be acknowledged because this application is not eligible for publication. Only utility and plant applications filed on or after November 29, 2000 are eligible for publication.

The "Non-Publication Request" indicator is correct. If there was a proper request submitted at the time of filing, the notation on the filing receipt will be "Yes". If no such request was made, the notation will be "No".

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*[Signature]*  
Customer Service Center  
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